



**State of New Jersey**  
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**JAMES E. MCGREEVEY**  
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**SUSAN BASS LEVIN**  
Commissioner

**MEMORANDUM**

TO: Construction Officials

FROM: William M. Connolly  
Director  
Division of Codes and Standards

DATE: January 31, 2002

SUBJECT: Duration of Permits

An amendment to the Uniform Construction Code (UCC) Act to limit the duration of construction permits under certain circumstances was recently enacted. This law, (PL 2001, c.457) became effective and enforceable on January 14, 2002.

Under this new law, the enforcing agency now has the authority to revoke or cancel a construction permit for a project that has not been completed by the third anniversary of the date that the permit was issued. In the case of a project under construction now, the enforcing agency may revoke or cancel an open permit if the project is not completed by the third anniversary date of the effective date of this law, January 14, 2005.

When a project for which a permit has been obtained is not completed by the permit's third anniversary, the permit applicant may request a one-year extension, which is to be reviewed by the enforcing agency. Extensions cannot be unreasonably denied.

These provisions do not apply to permits obtained for improvements made to the interior of an occupied residential property that are not visible from the outside. In addition, if the exterior and all required site improvements have been

fully constructed or if a project is under the control of a mortgagee in possession, these provisions do not apply.

If the permit applicant fails to complete the project by the deadline, the enforcing agency is required to take all appropriate action up to and including the demolition of the partially completed structure. A municipal lien is to be filed for any costs incurred from the demolition or disposal of the structure. If costs were paid by any governmental entity other than the municipality, that entity is to be assigned the lien.

As construction officials, you will be required to enforce the provisions of this amendment to the UCC Act in 2005. Amendments bringing the Code into conformance with the provisions of this statute are soon to follow, but I thought you each should be aware of it now.

If you have any questions, please contact the Code Assistance Unit of my office at (609) 984-7609.

